



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION VII
726 MINNESOTA AVENUE
KANSAS CITY, KANSAS 66101

Site: Martha
ID #: MOD 480633069
Break: 11.6
Other: _____

May 22, 1986

Walter C. Carolan, President
Martha C. Rose Chemical Co. Inc.
American Steel Works Inc.
W. C. Carolan Co. Inc.
Dust Suppression Systems Inc.
2459 Charlotte St.
Kansas City, Mo. 64108

Gentlemen:

This is to inform you that a pollution incident has occurred at the Martha C. Rose Chemical Co., Holden, Missouri, on May 12-16, 1986, for which you may be financially responsible. Under federal statutes, the United States Government has an interest in this incident and may take appropriate action to minimize damages which are threatened or may be caused by this incident.

The discharge of a prohibited quantity of oil or a hazardous substance is a violation of the Clean Water Act, as amended. Under this act, the owner or operator of the source may undertake removal action. If he refuses to take adequate removal actions, he may be held financially responsible for action taken by the Federal Government to remove the pollutant and adequately mitigate its effects. Removal is being done properly if it is done in accordance with federal and state statutes and regulations and the criteria of the National Oil and Hazardous Substances Pollution Contingency Plan. If you undertake removal action, the adequacy of such action shall be determined by the federal On-Scene Coordinator. The On-Scene Coordinator for this area is Mr. George Hess.

So long as you are taking adequate actions in this matter, federal action will be limited to monitoring of the progress of your actions and provision of guidance, as necessary.

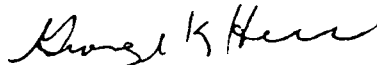
If it is determined that you are not taking prompt and appropriate action to clean up, contain, and remove the pollutant, federal response may be initiated. You may then be held responsible for actual costs incurred by the Federal Government as set forth in section 311(f) of the Clean Water Act, as amended. Should you require further information concerning this matter, please contact:



40030469
SUPERFUND RECORDS

Mr. George Hess
U.S. EPA
25 Funston Rd.
Kansas City, KS 66115
Phone: 913-236-3888 or 24 hr. # 913-236-3778

Sincerely,



George Hess
Geologist
Emergency Planning and Response Branch
Environmental Services Division

Received by: 

5/22/86 1522 Hours